

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services amends Chapter 77, “Conditions of Participation for Providers of Medical and Remedial Care,” Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services,” and Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” Iowa Administrative Code.

These amendments create a new Medicaid provider type for occupational therapists in independent practice. Occupational therapy services are provided to persons with disabilities to maximize their skills and abilities. Services typically include customized intervention programs to improve a person’s ability to perform daily activities, comprehensive job and home site evaluations and recommendations, performance skills assessment and treatment, adaptive equipment recommendations and usage training, and guidance to family members and caregivers.

Access to occupational therapy services has been identified as a problem in some areas of the state. Iowa currently covers occupational therapy services only when provided through hospital outpatient departments, nursing homes, home health agencies, rehabilitation agencies, school-based programs, and physicians who employ an occupational therapist. Medicare allows for participation of occupational therapists practicing independently from a hospital, physician, nursing home, or home health agency. Medicaid programs in neighboring states allow for enrollment of occupational therapists in independent practice.

These amendments do not provide for waivers in specified situations. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

Notice of Intended Action on these amendments was published in the Iowa Administrative Bulletin on October 22, 2008, as **ARC 7272B**. The Department received no comments on the Notice of Intended Action. These amendments are identical to those published under Notice of Intended Action.

The Council on Human Services adopted these amendments on December 10, 2008.

These amendments are intended to implement Iowa Code section 249A.4.

These amendments shall become effective on March 1, 2009.

EDITOR’S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [77.31, 78.35, 79.1(2)] is being omitted. These amendments are identical to those published under Notice as **ARC 7272B**, IAB 10/22/08.

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[For replacement pages for IAC, see IAC Supplement 1/14/09.]